

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
BALTIMORE DIVISION

In re:

Fred W. Allnutt

Debtor.

* Chapter 7

* Case No. 08-26485

* * * * *

**DEBTOR'S DESIGNATION OF ITEMS TO BE
INCLUDED IN THE RECORD ON APPEAL AND
STATEMENT OF ISSUES TO BE RAISED ON APPEAL**

COMES NOW, Debtor, Fred W. Allnutt, and hereby designates the following items to be included on Appeal and provides a statement of issues to be raised on appeal.

DESIGNATION OF ITEMS TO BE RAISED ON APPEAL

Item: Date: Docket # Description

1. 02/12/2009 10 Order Granting Debtor's Motion to Extend Deadlines to File Complaints Objecting to Discharge and to Object to Debtor's Claimed Exemptions. (related document(s): 9 Debtor's Consent Motion To Extend Deadline to File Complaints Objecting To Discharge And Exemptions. Filed by Fred Waters Allnutt. Last day to oppose discharge is 5/15/2009. Last day to object to exemptions is 5/15/2009. (Sofinowski, C) (Entered: 02/12/2009)
2. 03/12/2010 12 The Trustee hereby reports that the Debtor(s) has/have not complied with all filing requirements under 11 U.S.C. Sec. 521(e)(2)(A) by failing to provide the Trustee with tax returns. Filed by Michael G Rinn. (Rinn, Michael) (Entered: 03/12/2010)
3. 03/23/2010 14 Debtor's Objection To Court's Notice of Possible Dismissal Of Case on behalf of Fred Waters Allnutt Filed by Fred Waters Allnutt (related document(s) 12 Trustee's Report of Debtor(s) Non-Compliance with Section 521 filed by Trustee Michael G Rinn). (Oliver, Y) (Entered: 03/23/2010)
4. 03/25/2010 15 Notice of Hearing (related document(s) 12 Trustee's Report of Debtor(s) Non-Compliance with Section 521 filed by Trustee Michael G Rinn, 14 Objection filed by Debtor Fred Waters Allnutt). Hearing scheduled for 5/26/2010 at 02:00 PM at Courtroom 2-A, Baltimore - Judge Alquist. (Oliver, Y) (Entered: 03/25/2010)

5. 04/08/2010 17 Order Denying. This Objection is Overruled For Failure to State a Valid Objection. (related document(s) 14 Debtor's Objection To Court's Notice of Possible Dismissal Of Case on behalf of Fred Waters Allnutt Filed by Fred Waters Allnutt). (Sofinowski, C) (Entered: 04/08/2010)
6. 04/12/2010 19 Order Dismissing Case because of failure to provide required tax documents to the Trustee and Notice that Automatic Stay is Terminated. (Sofinowski, C) (Entered: 04/12/2010)
7. 04/14/2010 20 Notice of Error in Record and Request for the Record to be Corrected Filed by Fred Waters Allnutt. (Sofinowski, C) (Entered: 04/14/2010)
8. 04/14/2010 21 Motion for Order Confirming Discharge Filed by Fred Waters Allnutt . (Sofinowski, C) (Entered: 04/14/2010)
9. 04/15/2010 24 Response on behalf of Fred Waters Allnutt Filed by Fred Waters Allnutt (related document(s) 12 Trustee's Report of Debtor(s) Non-Compliance with Section 521 filed by Trustee Michael G Rinn). (Sofinowski, C) (Entered: 04/15/2010)
10. 04/16/2010 25 Motion For Court to Issue a Finding of Facts and Conclusions of Law to Support Its Dismissal of Debtor's Bankruptcy Case. Filed by Fred Waters Allnutt . (Sofinowski, C) (Entered: 04/16/2010)
11. 04/20/2010 26 Motion to Alter or Amend This Courts Order Dated April 12, 2010, Dismissing Case. Filed by Fred Waters Allnutt (related document(s) 19 Order Dismissing Case because of failure to provide required tax documents to the Trustee and Notice that Automatic Stay is Terminated.) . (Sofinowski, C) (Entered: 04/20/2010)
12. 04/26/2010 27 Memorandum of Decision (Opinion). GROUNDS NOT STATED (related document(s) 21 Motion for Order Confirming Discharge filed by Debtor Fred Waters Allnutt). (Maloney-Raymond, M) Modified on 4/26/2010 (Maloney-Raymond, M). (Entered: 04/26/2010)
13. 05/04/2010 29 Motion For the Court to Supply Debtor with a Copy of the Trustee's Report or, in the Alternative, Order the Trustee to Provide Debtor a Copy Filed by Fred Waters Allnutt . (Sofinowski, C) (Entered: 05/04/2010)
14. 05/04/2010 30 Motion for Court to Issue a Finding of Facts and Conclusions of Law to Support its So-Called "Memorandum of Decision (Opinion)" Filed on April 26, 2010 Filed by Fred Waters Allnutt . (Sofinowski, C) (Entered: 05/04/2010)

15. 05/04/2010 31 Objection on behalf of Fred Waters Allnutt Filed by Fred Waters Allnutt (related document(s) 19 Order Dismissing Case because of failure to provide required tax documents to the Trustee and Notice that Automatic Stay is Terminated). (Sofinowski, C) (Entered: 05/04/2010)

16. 05/14/2010 32 Order Denying Motion (related document(s): 25 Motion For Court to Issue a Finding of Facts and Conclusions of Law to Support Its Dismissal of Debtor's Bankruptcy Case. Filed by Fred Waters Allnutt). (Sofinowski, C) (Entered: 05/14/2010)

17. 05/14/2010 33 Order Denying Motion To Amend (related document(s): 26 Motion to Alter or Amend This Courts Order Dated April 12, 2010, Dismissing Case. Filed by Fred Waters Allnutt (related document(s) 19 Order Dismissing Case because of failure to provide required tax documents to the Trustee and Notice that Automatic Stay is Terminated.) (Sofinowski, C) (Entered: 05/14/2010)

18. 05/18/2010 37 Motion For Court to Issue a Finding of Facts and Conclusions of Law to Support Its May 14, 2010, Denial of Debtor's Motion to Alter or Amend its Order Dated April 12, 2010 Filed by Fred Waters Allnutt . (Sofinowski, C) (Entered: 05/18/2010)

19. 05/18/2010 36 Objection on behalf of Fred Waters Allnutt Filed by Fred Waters Allnutt (related document(s) 33 Order Denying Motion To Amend (related document(s): 26 Motion to Alter or Amend This Courts Order Dated April 12, 2010, Dismissing Case. Filed by Fred Waters Allnutt (related document(s) 19 Order Dismissing Case because of failure to provide required tax documents to the Trustee and Notice that Automatic Stay is Terminated). (Sofinowski, C) (Entered: 05/18/2010)

STATEMENT OF ISSUES TO BE RAISED ON APPEAL

1. Did the Bankruptcy Court err in dismissing Debtor's bankruptcy based on an alleged "Trustee's Report" that does not exist in the record and which was not provided to Debtor?
2. Did the Bankruptcy Court err in dismissing Debtor's bankruptcy based on an unsubstantiated alleged claim that Debtor failed to comply with 11 U.S.C. Sec. 521(e) (2)(A) that was filed one year after completion of Debtor's 341(a) meeting of creditors and ten months after the time limitations in Bankruptcy Rules 4004 and 9006(b)(3) and the "last day to oppose discharge" date of May 15, 2010, set by order of the bankruptcy court had expired?

3. If the alleged "Trustee's Report" actually exists, is it defective, improper and void if it is not verified, i.e., supported by stipulated facts provided by competent witnesses via testimony, affidavits, depositions, or direct oral examination?
4. Did the Bankruptcy Court err by not holding a fact-finding hearing to determine if the Trustee's alleged claim (a claim that is not in the record) was correct?
5. Did the bankruptcy court lack jurisdiction to dismiss Debtor's bankruptcy based on an alleged claim that was raised untimely?
6. Did the Bankruptcy Court err in not discharging Debtor's bankruptcy after the time limitations set forth in Bankruptcy Rules 4004 and 9006(b)(3) and the "last day to oppose discharge" date of May 15, 2010, set by order of the bankruptcy court had expired?

Respectfully submitted,



Fred W. Allnutt
10370 Baltimore National Pike
Ellicott City, Maryland 21042
(410-984-6476)

CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of June 2010, I served copies of this document by first class mail on Micheal B. Rinn, Suite 4, 111 Warren Road, Cockeysville, Maryland, 21030; Marsden S. Furlow, P.O. Box 829, Arnold, Maryland 21012; Internal Revenue Service, Suite 1300, 31 Hopkins Plaza, Baltimore, Maryland 21201; and, Chase Card Services, Account Inquires, P.O. box 15298, Wilmington, Delaware 19850-5298.



Fred W. Allnutt

Fred Allnutt
10370 Baltimore National Pike
Ellicott City, Md. 21042

June 9, 2010

Clerk
United States Bankruptcy Court
U.S. Courthouse
101 West Lombard Street
Baltimore, Maryland 21201

Re: Case # 08-26485

Dear Clerk,

Enclosed for filing is my Designation Of Items To Be Included In The Record On Appeal And Statement Of Issues To Be Raised On Appeal.

If I am required to pay any further costs, please forward a list of them to me so I can forward payment.

Thank you for your help and consideration.

Sincerely,


Fred Allnutt

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2010 JUN 10 AM 11:18
U.S. BANKRUPTCY COURT
U.S. DISTRICT COURT
Baltimore, Maryland